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BLUM et al.
U.S. Patent Application Serial No. 09/921,402

Translation of Official Action Issued by
the German Patent and Trademark Office

German Patent and Trademark Office

HARTING Vending
GmbH & Co. KG
Marienwerderstr. 3

32339 Espelkamp

Munich, February 26, 2001
Phone: (089) 21 95 - 28 08
Serial No.: 100 38 226.6-53
Applicant:
Harting Vending GmbH & Co. KG

Your Reference: 0014 De P4

Examination request, effectively filed on August 22, 2000

Response dated _____, received on _____

The result of the examination of the above patent application is given below.

The term for filing a response is

four months;

it begins with delivery.

Documents possibly to be enclosed with the response (for example, claims, specification, portions of the specification, drawings) are to be filed in duplicate on separate sheets. Only one copy of the response itself need be filed.

In case the claims, the specification, or the drawings are amended in the course of the procedure, the Applicant should, unless the changes were proposed by the German Patent and Trademark Office, indicate in detail where the features described in the new documents have been disclosed in the original application documents.

(Note relating to the possibility of utility model derivation)

(Notes as to official addresses, phone and fax numbers, banking connection, how to get there, etc.)

In this Official Action the following references are cited for the first time. (If numbered, the numbering will be adhered to throughout the further procedure):

- (1) DE 42 17 045 A1
- (2) DE 695 04 729 T2

I.

The pre-published document (1) discloses a method for selling products, the products being stored in an automatic product delivery machine (32), and at least one product selection terminal (15) and a cashier's point (11) being provided, characterized in that upon selection of a product from the product selection terminal (15) a selection-specific signal is generated, that after payment of the value of the product the cashier's point (11) produces a purchase receipt (4) which has provided thereon an identification including information about the product purchased, that the purchase receipt (4) is supplied to a reading means (34) of the automatic product delivery machine (32), and that after the process of reading the identification on the purchase receipt, delivery of the corresponding product from the automatic product delivery machine (32) is activated (cf. Fig. 1 and specification column 2, line 21 to column 3, line 47).

It is further (implicitly) known from this document that the selection-specific signal generated upon selection of a product is supplied to the cashier's point (11) (cf. column 4, lines 51-55 in conjunction with column 5, lines 24-33).

Accordingly, all of the features of the method according to claim 1 are already known from document (1) and no inventive activity is required to proceed from the known prior art to the method of claim 1.

Claim 1 is therefore not allowable, with the result that claims 2-11, which are directly or indirectly dependent on it, are not allowable, either.

II.

Under these circumstances, the application - at least for the time being - can not be expected to be successful.

Should the Applicant still see any patentable substance in any special features of the subject matter of the application, Applicant is requested

- (a) to submit a new main claim directed thereto as well as new dependent claims adapted thereto;
- (b) to provide evidence that the features of the new claims have been disclosed in the application documents;
- (c) to identify a technical object to be achieved by the new claim for patent protection;
and
- (d) to demonstrate wherein the inventive step over the prior art is to reside.

If, on the other hand, claim 1 is maintained substantially unamended, rejection of the application has to be expected without a further Office Action.

Examiner for Class G 07 F

Schmitt

Ext. 2811

Enclosure:
photocopies of 2 cited references

Issued

(signed)
Government Employee

[stamp:]
German Patent and
Trademark Office